

Amendments to the Drawings

The attached sheet of drawings includes Fig. 1, which was included with the copy of the PCT application submitted on April 23, 2001. Applicant requests that the attached separate sheet of drawing be entered in the application.

Remarks/Arguments

Claims 1-8 are pending.

Responsive to the request for a drawing, applicant has attached herewith a separate copy of the one sheet of drawing included with the copy of the PCT application submitted on April 23, 2001.

Rejection of claims 1 and 4-8 under 35 USC 102(b) as being anticipated by Lea (U.S. Pat. No. 6032202)

Applicant submits that for the reasons discussed below present claims 1 and 8, and the claims that depend therefrom, are not anticipated under 35 USC 102(e) by Lea.

The present invention relates to a system having a plurality of device connected to one another via a home bus interface, that is, the devices are connected within a home network. Each of the devices includes characteristic system information associated therewith and transmits the data over the home bus interface to an output unit, the output unit being a device for writing to a mobile, digital data medium or a modem or another telecommunications connection that can send the system data to a desired address.

In this regard, present claim 1 recites:

... one of the devices contains a control unit which, when operated appropriately by a user, polls system data for other devices in this system via the home bus interface, wherein said system data comprises characteristic data for a device, in particular a serial number, the manufacturer's mark, the device class, output/input characteristics, the software version or any error data and passes this system data to an output unit of the one device, the output unit being a device for writing to a mobile, digital data medium which can store the system data.
(emphasis added)

Present claim 8 recites:

*a control unit which, when operated appropriately by a user, polls system data for other devices in this system via the home bus interface, wherein said system data comprises characteristic data for a device, in particular a serial number, the manufacturer's mark, the device class, output/input characteristics, the software version or any error data and passes this system data to an output unit of the one device, the **output unit being one of a modem and another telecommunication connection which, when operated appropriately by a user, can send the system data to a desired address.** (emphasis added)*

Newly added claim 8 similarly recites this feature. Applicant submits that nowhere does Lea disclose or suggest the above-noted features of claims 1 and 8.

Lea discloses a method and a system for providing interoperability and integration of devices into a network. According to Lea, when a new device is coupled to the network, the device is queried to obtain description of the functions provided by the device. However, Lea fails to disclose or suggest the above-mentioned features of claims 1 and 8.

Applicant submits that col. 11, lines 54-63 cited in the Office Action fails to disclose or suggest passing the system data to an output unit for writing to a mobile, digital data medium or an output unit comprising a modem or other telecommunications connection. In fact, the cited portions describe the internal memory RAM and ROM of set top box 301. Applicant submits that the internal memory within a set top box does not constitute a device for writing to a mobile data medium, or a modem or other telecommunications connection. The internal RAM and/or ROM in a set top box is generally soldered onto the main board or plugged into a socket of the main board and can only be disconnected or removed from the set top box when the housing is opened. In that sense, the internal RAM and/or ROM cannot be considered a mobile, or portable/detachable, digital data medium or a modem or telecommunications connection. Further, Lea provides no hint or suggest why it might be desirable to provide a RAM and/or ROM that can be considered a mobile, digital data medium, modem, or other telecommunications connection.

In view of the above, applicant submits that Lea fails to disclose all of the limitations of claims 1 and 8 and as such, present claims 1 and 8, and the claims that depend therefrom, are not anticipated by Lea.

Rejection of claim 2 under 35 USC 103(a) as being unpatentable over Lea in view of Craig (US Pat. No. 6,266,809)

Craig is cited as teaching a mobile data medium being a smart card having a memory and that when operated appropriately by a user, the network computer communicates with the smart card for storing system data.

However, Craig discloses the smart card being an access card storing security information on it for the purpose of securing a firmware update on a network computer (see col. 5, lines 56-57). Nowhere does Craig teach or suggest recording system data polled from one device in the system on the smart card. Craig simply says nothing in that regard.

Further, applicants submit that nowhere do Lea and Craig provide any teaching or suggestion to combine the references in the manner suggested. Lea relates to providing interoperability and integration of a plurality of devices in a network. By contrast, Craig relates to a method of replacing firmware. These are entirely different matters and nowhere do the cited references mention or suggest that the proposed combination is desirable. Therefore, applicant submits that the suggested combination constitutes impermissible hindsight reconstruction that uses the teachings of the present invention to derive the proposed combination.

In view of the above, applicant submits that present claim 2 is patentably distinguishable over the cited combination of references.

Rejection of claim 3 under 35 USC 103(a) as being unpatentable over Lea in view of Garner (US Pat. No. 6112085)

Garner is cited as teaching a mobile satellite system having a write/read device for one of a chip card and smart card for the purpose of providing storage for different output files.

However, even assuming arguendo that Garner teaches such a feature, applicant submits that the cited teachings of Garner fail to cure the defect of Lea as applied to claim 1 as discussed above. As such, the combination of Lea and

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Garner fail to teach or suggest all of the limitations of present claim 3, which depends from claim 1, and present claim 3 is patentably distinguishable over the combination of Lea and Garner.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
E. Schroder.



By: Paul P. Kiel
Attorney for Applicant
Registration No. 40,677

THOMSON Licensing Inc.
PO Box 5312
Princeton, NJ 08543-5312

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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on:

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Linda Tindall